

## **AMENDMENTS TO THE DRAWINGS**

An attachment to this paper contains replacement sheets and annotated sheets for Figs. 3 and 5. The annotated sheets indicate the removal of reference numeral 71 in accordance with the Examiner's comments.

## **REMARKS**

For the convenience of the Examiner set forth below is a recapitulation of the current status of the Claims in the present Application.

<b>CLAIMS</b>	<b>STATUS</b>	<b>DEPENDENCY</b>
1	Currently amended	Independent
2	Canceled	—
3	Currently amended	1
4	Currently amended	3
5	Currently amended	4
6	Currently amended	3
7	Canceled	—
8	Canceled	—
9	Currently amended	13
10	Original	9
11	Original	10
12	New	Independent
13	New	Independent

Comments of Primary Examiner Kimberly T. WOOD's have been reviewed carefully along with pertinent sections of the Patent Act, Patent Rules, the Manual of Patent Examining Procedure, legal treatises and relevant decisional law. In accordance with Examiner WOOD's requirements, allowance of the Application, as amended, is solicited earnestly.

The Specification and the Abstract of the Disclosure have been amended to correct the word "bold" to read - - bolt - -. No new matter has been added.

An attachment provides revised drawings as required by the Examiner. In the revised drawing reference numeral 71 has been deleted in figs. 3 and 5. The Specification has been amended to remove an incorrect use of reference numeral 10. Thereby eliminating a need to add reference numeral 10 to the drawings.

No new matter has been added.

The Examiner has stated that Claims 2 and 8-11 would be allowable if rewritten to overcome the rejection(s) under 35 USC 112, 2<sup>nd</sup> paragraph and to include all of the limitations of the base claim and any intervening claims.

Accordingly, the subject matter of Claims 1 and 2 has been presented as new Claim 12. The subject matter of Claims 1, 7 and 8 has been presented as new Claim 13.

Claims 2, 7 and 8 have been canceled.

Claim 1 has been amended to correct the word "bold" to read - - bolt - -.

Claim 1 and 3-6 have been amended to correct grammatical errors and to ensure that the claims are definite. No new matter has been added.

The claims as amended and as newly presented are believed to be patentable.

Claims 1, 3, 4-7 have been rejected under 35 USC 102(b) as being anticipated by Stanley 2,792,268. The Examiner has stated:

Stanley discloses and external sleeve (39), a folding rod (31) having successive V-shaped folding surfaces or turnings (see figure 4) capable of producing a deformation stress (when compressed and extended), a bolt member (40) that produces an external force on the folding rod, a decorative sleeve (23). When bolt member (40) is tightened to hold the sleeve (31) in place an external force is produced on the folding rod (39) preventing it from expanding or contracting therefore producing a deformation stress on the rod (39). The rod (39) then having a deformation stress press against and positioning into the external sleeve (31).

Reconsideration of the Examiner's rejection is requested on the following basis. Review of the Stanley reference reveals the following differences between the Stanley device, the statements of the Examiner and the present invention.

1. Element 39 of Stanley is a compression coil spring (Col. 2, Line 60) not an external sleeve as stated by the Examiner.

2. Element 31 of Stanley is described in the patent as a hollow tubular element (Col. 2 Line 35-36) and Element 31 does not have successive V-shaped folded surfaces or turning as stated by the Examiner. The V-shaped representation in Fig. 4 which was referenced by the Examiner is a compression coil spring 39 (Col. 2 Line 60). There is no V-shaped folded element shown or described in the Stanley reference.

3. The bolt member 40 in Stanley engages and bears on the external surface of the hollow tubular element 31 (Col. 2, Lines 65-69). The bolt member 40 thus bears against the cylindrical outer surface of a tube 31. The bolt 40 does not bear on any other member and does not bear against a folding rod as described in the present Application and as claimed in Claim 1.

4. The bolt 40 in Stanley does not make any contact with a folding rod identified by the Examiner with the reference numeral 39. There is no "folding rod" in the Stanley reference.

5. The Stanley reference does not show a folded rod of any kind.

6. The present invention as shown in the various Figs and as claimed in Claim 1 provides a folded member which is acted upon by a bolt. This structure is not taught by

Stanley.

7. In Stanley the bolt bears on a cylindrical tube and there is no structural or functional relationship between the Stanley device and the present invention.

The Specification and the Drawings have been amended in accordance with the Examiner's requirements.

The status of the Claims is as follows:

Claim 9 has been amended to depend from new Claim 13.

Claim 10 and 11 are original.

Claims 1, 3-6 are currently amended.

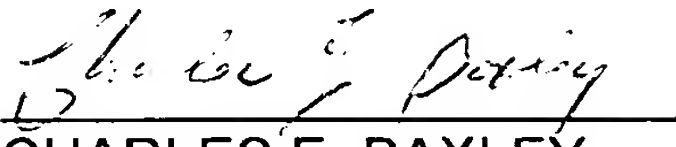
Claims 2, 7 and 8 are canceled.

Claims 12 and 13 are new.

In view of the foregoing amendments, submissions and explanations, it is believed that Claims 1, 3-6 and 9-13 as amended, are in condition for allowance. An early Notice of Allowance on the Application will be appreciated.

Courtesy, cooperation and skill of Primary Examiner Kimberly T. WOOD are appreciated and acknowledged.

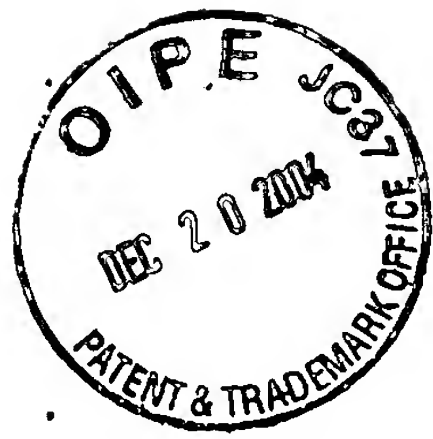
Respectfully,

  
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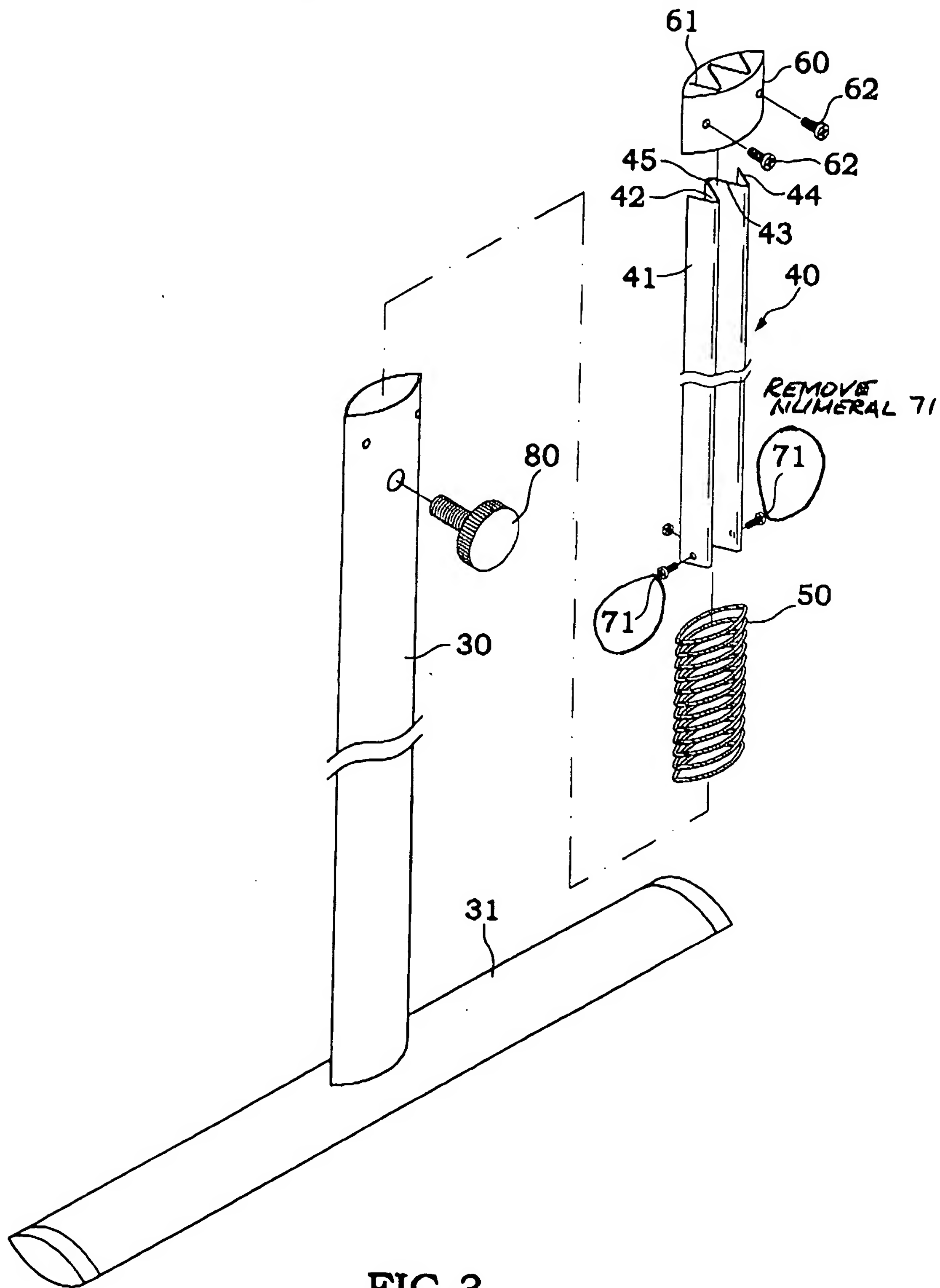
Dated: New York, New York  
December 17, 2004

Enclosures:

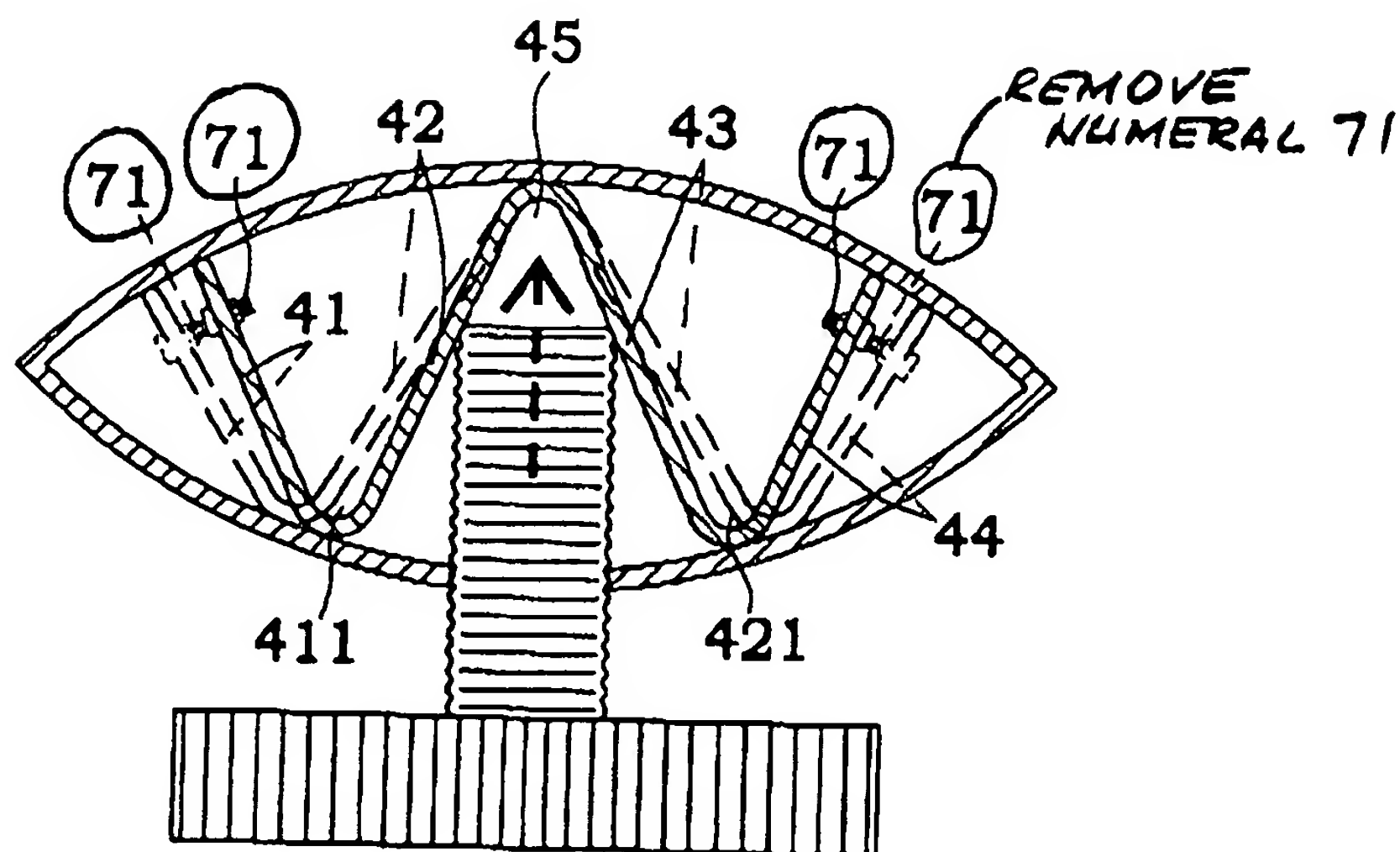
Two (2) Sheets Annotated Showing Drawings (Figs. 3 and 5); and  
Two (2) Sheets Replacement Drawings (Figs. 3 and 5).



AMENDMENT DATED DECEMBER 17, 2004







**FIG. 5**